

REMARKS/ARGUMENTS

Applicant responds herein to the Office Action dated June 16, 2010.

Upon careful review of the Examiner's comments and suggestions, allowable claims 39 and 40 have been rewritten to overcome the rejection under the second paragraph of 35 U.S.C. §112 thereagainst. Thus, the applicant adopted the precise language suggested by the Examiner at the bottom of page 7 of the Office Action and formal allowance of claims 39-40 is now requested.

With respect to claims 23-38, the applicant has amended the independent claims 23, 28, 33 and 38 to state, again as the Examiner's suggested, that the handover facility is configured to perform the handover process such that the base station providing the largest or strongest different signal among the antennas is selected to be the handed-off base station.

As further suggested in the Office Action, applicant has added Fig. 11 which essentially illustrates this feature and the text of the specification has been amended to summarize the suggested amendments to claims 23-38, to bring out this feature. It is believed, and respectfully submitted that none of the amendments introduce new matter into the application, as none of the text of Fig. 11, nor in the newly presented specification paragraph, describes subject matter not already explicitly or implicitly disclosed in the application as filed.

Having addressed all of the issues under 35 U.S.C. §112, it is submitted that all of the claims in the application are now in a condition to be formally allowed.

Accordingly, the Examiner is respectfully requested to reconsider the application, allow the claims and pass this case to issue.

THIS CORRESPONDENCE IS BEING
SUBMITTED ELECTRONICALLY
THROUGH THE UNITED STATES
PATENT AND TRADEMARK OFFICE
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Respectfully submitted,

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